



4-27-06

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PTO/SB/21 (09-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/542,322 ✓	
	Filing Date	July 13, 2005	
	First Named Inventor	R. Tozawa	
	Art Unit	1653	
	Examiner Name	tba	
Total Number of Pages in This Submission	7	Attorney Docket Number	3151 USOP

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard PTO Form PTO/SB/08A (1 page) PTO Form PTO/SB/08B (1page) Copies of 4 references
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name			
Signature	<i>Elaine M Ramesh</i>		
Printed name	Elaine M. Ramesh, Ph.D., JD		
Date	4/26/06	Reg. No.	43,032

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	10/542,322	Art Unit:	1653
Filed:	July 13, 2005	Examiner:	tba
1 <sup>st</sup> Inventor:	R. Tozawa	Allowed:	
For:	Skeletal Muscle Protecting Agent	Batch:	
Atty. Dkt. No.	3151 US0P	Paper No.:	

**Information Disclosure Statement**

Commissioner for Patents  
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Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, 1.97 and 1.98, Applicants' request consideration of the references listed on the attached form PTO-1449 under §1.97(b).

This statement is being timely filed before the mailing of a first Office Action on the merits. No fee is required for this filing.

Should the Examiner believe that a conference with Applicants' attorney would advance prosecution of this application, the Examiner is respectfully invited to call Applicants' attorney.

Respectfully submitted,

Dated: April 26, 2006

(847) 383-3391  
(847) 383-3372

Elaine M. Ramesh  
Elaine M. Ramesh, Ph.D., Reg. No. 43,032  
Mark Chao, Ph.D., Reg. No. 37,293  
Attorney for Applicants  
Customer No. 23115

Takeda Pharmaceuticals North America, Inc.  
Intellectual Property Department  
475 Half Day Road  
Lincolnshire, IL 60069 USA



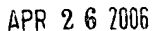
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Substitute for form 1449/PTO

*(Use as many sheets as necessary)*

**Complete if Known**

Application Number	10/542.322
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Filing Date	July 13, 2005
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First Named Inventor	R. Tozawa
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Art Unit	1653
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Examiner Name	tba
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Attorney Docket Number	3151 US0P
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Sheet	1	of	1
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## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		WO 97/10224	03-20-1997	Takeda Chemical Industries		
		WO 01/98282	12-27-2001	Takeda Chemical Industries		

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup> Applicant's unique citation designation number (optional). <sup>3</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>7</sup> Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known****Application Number** 10/542,322**Filing Date** July 13, 2005**First Named Inventor** R. Tozawa**Art Unit** 1653**Examiner Name** tba**Attorney Docket Number** 3151 US0P

Sheet 1 of 1

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		FLINT, O., et al., "Inhibition of Cholesterol Synthesis by Squalene Synthase Inhibitors does not Induce Myotoxicity in Vitro", <u>Toxicology and Applied Pharmacology</u> , (1997), Vol. 145, pages 91-98	
		NISHIMOTO, T., et al., "Comparing Myotoxic Effects of Squalene Synthase Inhibitor, T-91485, and 3-hydroxy-3-methylglutaryl Coenzyme A (HMG-CoA) Reductase Inhibitors in Human Myocytes", <u>Biochemical Pharmacology</u> , (2003), Vol. 66, pages 2133-2139	

**Examiner  
Signature****Date  
Considered**

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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